

Entered - 1-13-00 - sb  
CL 00L0024 - GWENDOLYN BURNS

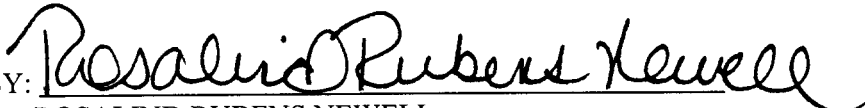
00- *R* -1810

CLAIM OF: **CHARLIE TAYLOR**  
2107 Boulevard Drive, SE  
Atlanta, Georgia 30317

For property damages alleged to have been sustained when a tree, located on city property, fell causing damage to a parked vehicle and walkway on October 23, 1999 at 2107 Boulevard Drive, SE.

Pursuant to Section 2-404 of the City Code, the City Attorney hereby approves and authorizes settlement of the above referenced claim by paying to **CHARLIE TAYLOR** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained when a tree, located on city property, fell causing damage to a parked vehicle and walkway on October 23, 1999 at 2107 Boulevard Drive, SE. as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0024

Date: October 20, 2000

Claimant /Victim CHARLIE TAYLOR  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 2107 Boulevard Drive, SE, Atlanta, Georgia 30317  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 2,000.00 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 1/3/00 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 10/23/99 Place: 2107 Boulevard Drive, SE  
Department PARKS, RECREATION & CULTURAL AFFAIRS Division PARKS  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant alleges that his property sustained damage when a tree, located on city property, fell causing damage to his parked vehicle, a walkway and retaining wall. An investigation determined that a work order request to remove the tree was generated on June 2, 1999 by the city arborist, however, the tree was not removed until November 22, 1999.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

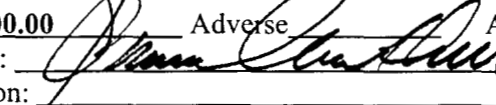
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 11-02-00  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
CLERK OF COUNCIL  
City Hall  
55 Trinity Avenue, SW  
Atlanta, GA 30335

RE: CLAIM FOR DAMAGES

Reeves  
01/12/00  
D

TODAY'S DATE: 12-30-99

ENTERED - 1-13-00 - SB

00L0024 - MIKE REEVES

Dear Sir:

This is to notify the City of Atlanta that I have suffered damages in the sum of \$1533.92 property and/or \$1250.00 bodily injury for which I contend the City is liable.

1. Date of incident: 10 23 99 (month day year)
2. Police called (yes) (No)
3. Location of incident:
4. Name of your insurance company Auto Policy #
5. State what and how incident occurred: I had 450 cc car and home from parking lot near 1000 S. 10th Street. I had my car on the curb in front of my home. I was home when the police called me from inside to tell me that a truck had fallen from the tree in front of the house on the side car. (use other side if necessary)
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE STATEMENTS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages. Complete the following and attached two (2) estimates of repair.

Your vehicle: Olds 84 Charlie Taylor  
(make) (year) (tag#) (driver's name)

City vehicle: \_\_\_\_\_  
(make) (driver's name) (department)

8. Witness: Jonathan Smith 2128 Buckward Dr. 404-373-0769  
(name) (address) (phone)

9. The acknowledgment of this claim in no way waives the Governmental Immunity of the City of Atlanta, as granted by State Law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT!

10. THIS CLAIM SHOULD BE MAILED IMMEDIATELY TO THE ADDRESS SHOWN ABOVE

Mr Charlie Taylor (SEAL)  
(claimant)  
2107 Bunker St  
(address)  
Atlanta Ga 30317  
(city) (state) (zip)  
377-3558 4848-3431  
(home) (phone) (work)

**GENERAL RELEASE AND INDEMNIFICATION**

CLAIM NUMBER 00L0024

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND DOLLARS AND NO/100 DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of a property damage incident which occurred on or about the 23th day of October, 1999, at or near 2107 Boulevard Drive, SE.

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 1st day of November, 2000.

Charlie Taylor (LS)  
Charlie Taylor

\_\_\_\_\_  
(LS)

The above release was read and explained to, and signed by the said Charlie Taylor in our presence on the date above written.  
(Charlie Taylor)

Stependelya Brown  
Lawn Bonney  
WITNESSES

00- R -1810